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Date: April 23, 2008 Name: Vincent J. Goffo, Reg. No. 44,714

Signature:



PATENT
CASE NO. 8285/461

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Susanne Marie Crockett et al.)	
Serial No.: 10/027,224)	Examiner: Karen L. Le
Filing Date: December 20, 2001)	Group Art Unit No.: 2614
For: Method and System for Providing)	
Call Forwarding Information to a)	
Calling Party)	

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

This Reply Brief is being filed further to the Examiner's Answer mailed February 28, 2008. This Reply Brief is filed prior to the end of the two month time window provided under 37 CFR 41.41 and MPEP 1208.

Reply to Examiner's Answer

Appellant submits that the pending rejections fail to cite references teaching or suggesting all of the claimed features. To make the rejections, the Examiner's Answer is dissecting the elements of the claims, instead of reading the features for what they are. Appellant respectfully requests withdrawal of the final office action and allowance of the claims.

As a preliminary matter, Appellant appreciates the March 23, 2007 and September 1, 2006 decisions to reopen prosecution in accordance with the previously filed Notice of Appeal and Pre-Appeal Briefs Request for Review. Appellant submits that the present rejections should also be withdrawn, for at least reasons similar to the reasons on which the reopening of prosecution was based. The pending claims have been rejected for the third time using the same rejections that caused prosecution to be opened twice before. The pre-appeal brief Panel has twice overturned rejections that are the same as the present rejections, except that one reference was dropped from the rejection and another reference with the same deficiencies as the reference that was dropped, was added in a separate listing of rejections. The present Office Action still does not correctly address missing elements of the claims. Appellant sets forth missing elements below.

A. Claim 1

Pending independent claim 1 recites a method for providing an announcement to a calling party when the calling party calls a disconnected telephone number comprising "providing the first announcement to the calling party if the calling party is authorized" "wherein the first announcement comprises a forwarding number of the called party" and "providing an alternate announcement if the calling party is not authorized." These feature are related, and should be read together. The Examiner's Answer attempts to dissect the features of the claims to make the rejections. But even if the features were dissected, the fact remains that none of the references, alone or in combination, disclose or suggest at least "providing a forwarding number" "if the calling party is authorized."

Rubin discloses an intelligent network architecture to handle calls placed to a network subscriber who has changed telephone numbers from an old telephone number to a new telephone number. As correctly noted by previous Office Actions, Rubin neither discloses nor suggests determining, in accordance with at least a portion of a telephone number, whether a calling party is authorized to receive a first announcement, and providing the first announcement to the calling party if the calling party is authorized by the called party to receive the first announcement. Gilbert et al. and Dans fail to fill the gaps.

Gilbert et al. discloses a system and method for providing customized announcements to callers based on the called party telephone number and the calling party telephone number. See Abstract. When an incoming call is answered by a personal communications service, the system checks a database to determine whether or not the subscriber has identified that calling party number as a number that receives a personalized greeting. If the calling party number is in the database, the system plays the specific greeting selected by the subscriber for that specific caller or group of callers. Gilbert et al. does not disclose or suggest providing a forwarding number to authorized callers, and otherwise providing an alternate message.

Dans discloses an automated system places telephone calls to speech-based information systems, and interacts with the systems to retrieve information. The system employs a calling computer which uses speech recognition software to recognize the verbal messages generated by the information systems. The verbal messages are stored for recognition purposes, not for supplying such messages to a user. See Col. 14, lines 44-45 and 66-67. The system is designed for calling bank information systems to verify accounts and checking transactions drawn on accounts. The system may also be employed for checking the status of lists of telephone numbers to determine whether the numbers have been changed or disconnected. In this case, the system recognizes verbal messages generated by a telephone company information system, and records new telephone numbers to which old telephone numbers have been changed. Dans does not disclose or suggest providing a forwarding number to a calling party if the calling party is authorized by the called party to receive the forwarding number, and otherwise providing an alternate message.

Conversely, the claims call for providing a forwarding number to a calling party if the calling party is authorized by the called party to receive the forwarding number, otherwise providing an alternate message. For at least these reasons, Appellant respectfully requests review of the final rejection directed against the current application and withdrawal of the rejections against the claims. Claims 4-10 depend from claim 1, and are submitted to be allowable for at least the same reasons.

B. Claim 11

Pending independent claim 11 recites a telecommunication system for providing an announcement to a calling party in which a “first announcement is provided to the calling party if the calling party is authorized by the called party to receive the first announcement, wherein the first announcement comprises a forwarding number of the called party”. Also, “an alternate announcement is provided if the calling party is not authorized by the called party to receive the first announcement”. As described above, neither reference, alone or in combination, discloses or suggests such features. For at least the reasons discussed above with regard to claim 1, Appellant respectfully requests that this rejection also be withdrawn. Claims 14-20 depend from claim 11, and are submitted to be allowable for at least the same reasons.

C. Claim 21

Pending independent claim 21 recites a method for providing an announcement to a calling party when the calling party calls a disconnected telephone number that includes providing call forwarding information “if the calling party is authorized by the called party” and “otherwise providing an announcement”. As described above, neither reference, alone or in combination, discloses or suggests such features. For at least the reasons discussed above with regard to claim 1, Appellant respectfully requests that this rejection also be withdrawn. Claims 23-24 depend from claim 21, and are submitted to be allowable for at least the same reasons.

D. Claims 10 and 20

Kim discloses an intelligent telephone system that includes a caller-ID circuit that extracts a call identifier from an incoming call. The system of Kim discloses keeping a call record log. None of the references, alone or in combination, disclose or suggest that a log is kept for a disconnected number. Moreover, none of the references, alone

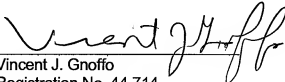
or in combination, disclose or suggest providing a forwarding number to a calling party if the calling party is authorized to receive it, otherwise providing an alternate message. Therefore, claims 10 and 20 should be allowed for the reasons discussed with regard to their respective independent claims discussed above.

In addition, there is no motivation to combine the caller ID system of Kim with the systems of Rubin, Gilbert et al. and Dans. A user would not purchase caller ID for a disconnected number. For at least these additional reasons, Appellant respectfully requests that the rejection to claims 10 and 20 be withdrawn.

Conclusion

For the reasons provided above, Appellant submits that claims 1, 4-11 and 14-21 and 23-24 are allowable over the cited art. Appellant respectfully submits that the outstanding rejections of the claims as unpatentable is in error and should be reversed.

Respectfully submitted,



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